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**Hewlett-Packard Co.**

# FAX: USPTO - APPEAL BRIEFS

To: Examiner Michael Yigdall From: Philip Lyren (281-514-8236)  
Art Group 2122

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Fax: 703/ 872-9306 Pages: 11 + cover

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Phone: Date: Jan 2, 2005

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Re: 200308325-1 (09/754890) Title SYSTEM & METHOD FOR FOR VERIFYING COMPUTER  
PROGRAM CORRECTNESS AND PROVIDING  
RECOVERABLE EXECUTION TRACE INFORMATION

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

## • Comments:

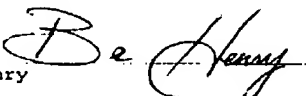
Transmitted herewith are the following documents:

- Response to Examiner's Answer dated December 3, 2004 ( 3 pages) in triplicate
- Transmittal coversheet for Reply Brief (in duplicate) (2 pages)

Please process these documents in your usual and customary manner.

Thank you for your assistance.

Be Henry

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Fort Collins, Colorado 80527-2400

PATENT APPLICATION  
ATTORNEY DOCKET NO. 2003083206-1

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IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): TODD DAVID MILLSTEIN et al

Confirmation No.: 4747

Application No.: 09/754890

Examiner: Michael Yigdall

Filing Date: Jan 05, 2001

Group Art Unit: 2122

Title: SYSTEM & METHOD FOR FOR VERIFYING COMPUTER PROGRAM CORRECTNESS AND PROVIDING RECOVERABLE EXECUTION TRACE INFORMATION

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL OF REPLY BRIEF

Sir:

Transmitted herewith in *triplicate* is the Reply Brief with respect to the Examiner's Answer mailed on 12/3/2004. This Reply Brief is being filed pursuant to 37 CFR 1.193(b) within two months of the date of the Examiner's Answer.

(Note: Extensions of time are not allowed under 37 CFR 1.136(a))

(Note: Failure to file a Reply Brief will result in dismissal of the Appeal as to the claims made subject to an expressly stated new grounds of rejection.)

No fee is required for filing of this Reply Brief.

If any fees are required please charge Deposit Account 08-2025.

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Number of pages:

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Signature: Be Henry

Respectfully submitted,

TODD DAVID MILLSTEIN et al

By Philip Lyren

Philip Lyren

Attorney/Agent for Applicant(s)

Reg. No. 40,709

Date: 1/2/05

Telephone No.: (281) 514-8236

Rev 12/04 (ReplyBf)

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P. O. Box 272400  
Fort Collins, Colorado 80527-2400

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ATTORNEY DOCKET NO. 200308325-1

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Respectfully submitted,

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By Philip Lyren

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Attorney/Agent for Applicant(s)

Reg. No. 40,709

Date: 1/2/05

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Rev 12/04 (ReplyBrl)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Leino et al. Examiner: Michael J. Yigdal  
Serial No.: 09/754,890 Group Art Unit: 2122  
Filed: January 5, 2001 Docket No.: 200308325-1  
Title: System and Method for Verifying Computer Program Correctness and  
Providing Recoverable Execution Trace Information

**REPLY BRIEF UNDER 37 C.F.R. § 41.41**

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Alexandria, VA 22313-1450

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JAN 02 2005

Sir:

This **Reply Brief** is filed in response to the Examiner's Answer dated December 3, 2004.

**AUTHORIZATION TO DEBIT ACCOUNT**

It is believed that no extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefore (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's deposit account no. 08-2025.

App. No.: 09/754,890  
Reply Brief

### REMARKS

Appellants reiterate that claims 1 and 47 recite recitations that are not taught or suggested in Detlefs and/or Chan. These claims recite an error message that includes “a **program trace that identifies a path through the computer program** when the counter-example identifies one or more of the flow control labels” (emphasis added).

The Examiner disagrees with Appellants and contends (see Examiner’s Answer at p. 21):

However, Detlefs teaches error messages that identify source positions in the computer program based on the labels identified in the counter-example (see, for example, page 29, section 6, paragraph 2, lines 1-4 and 7-9). Thus, Detlefs teaches an error message including a program trace that identifies positions in the computer program when the counter-example identifies one or more of the labels.

Chan teaches detecting and verifying conditional branches along the execution path of the computer program (see, for example, column 1, lines 26-35). Chan further teaches markers and scalars for identifying paths of execution in the computer program (see, for example, column 1, lines 38-53).

Therefore, in combination, Detlefs and Chan teach an error message including a program trace that identifies a path through the computer program when the counter-example identifies one or more of the flow control labels.

Appellants respectfully disagree with the conclusion of the Examiner. Detlefs teaches a checker to report specific error messages. Detlefs even teaches a **set of labels** and further states: “The name of the label encodes the source position and error type.” (see Detlefs at p. 29). However, the ability to identify a single error location or multiple error locations **does not provide an error message that identifies a path through the computer program**. In fact, Appellants’ specification even notes this deficiency in the prior art (see US 2002/0046393 A1 at [0042]):

The ability to identify a location in the source where an error arises is well known in the art, but the error messages produced are not as informative as one might wish because they do not reveal the path that the program would take to encounter the error.

App. No.: 09/754,890  
Reply Brief

Appellants respectfully ask that words in the claim be given their plain meaning. Merriam-Webster is an online dictionary ([www.merriam-webster.com](http://www.merriam-webster.com)) that provides the following definitions:

**Path:**

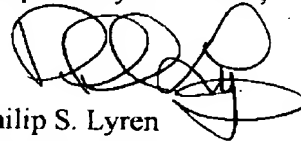
- 1 : a trodden way
- 2 : a track specially constructed for a particular use
- 3 a : COURSE, ROUTE b : a way of life, conduct, or thought
- 4 a : the continuous series of positions or configurations that can be assumed in any motion or process of change by a moving or varying system b : a sequence of arcs in a network that can be traced continuously without retracing any arc.

**Trace:**

- 1 *archaic* : a course or path that one follows
- 2 a : a mark or line left by something that has passed; *also* : FOOTPRINT
- b : a path, trail, or road made by the passage of animals, people, or vehicles

For at least these reasons, Appellants respectfully request reversal of the rejection of all claims.

Respectfully submitted,



Philip S. Lyren  
Reg. No. 40,709  
Ph: 281-514-8236

**CERTIFICATE UNDER 37 C.F.R. 1.8**

The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office number 703-872-9306 on this 2nd day of January, 2005.

By

Name: Be Henry

